



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
OFFICE OF CONTROLLED SUBSTANCES

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING NOTICE:	CONTROLLED SUBSTANCE COMMITTEE
DATE AND TIME:	Wednesday September 27, 2017 at 9:00 a.m.
PLACE:	Buena Vista Conference Center, Buck Library, First Floor, 661 S. DuPont Highway, New Castle, Delaware 19720
APPROVED:	November 29, 2017

MEMBERS PRESENT

Michael Kremer, DMD, Dental Representative, President
Art Jankowski, VMD, Veterinary Representative
Stephen Ruggles, PA-C, PA Representative
Herb E. Von Goerres, R.Ph., Pharmacy Representative
Mark Hanna, Public Representative

MEMBERS ABSENT

Philip Kim, M.D., Medical Representative
Jo Ann M. Baker, DNP, RN, FNP-C, Nursing Representative
Alex Zarow, R.Ph., Pharmacy Representative

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

David Mangler, Director, Division of Professional Regulation
Patricia Davis, Deputy Attorney General
Christine Mast, Administrative Specialist III
Jason Slavoski, PharmD, Pharmacist Administrator (PMP)

ALSO PRESENT

Hooshang Shanehsaz
Tejal Patel
Carla Jarosz
Greg Morris
Kodwo Seiki
Julia Lawes
Cheryl Heiks

CALL TO ORDER

Mr. Kremer called the meeting to order at 9:03 am.

REVIEW AND APPROVAL OF MINUTES

A motion was made by Mr. Kremer, seconded by Mr. Hanna, to approve the minutes for July 19, 2017 with corrections. The motion unanimously carried.

PRESIDENT'S REPORT

No Report

UNFINISHED BUSINESS

NEW BUSINESS

Continuance of Hearing Officer Recommendation Deliberations – The Pillbox Pharmacy. Ms. Davis stated the reason for continuance of deliberations for the hearing officer recommendation. She stated that the Board of Pharmacy reviewed the hearing officer recommendation during their August 20, 2017 meeting that was presented to them regarding the Pharmacist license of Mr. Sekyi. She stated that the Board of Pharmacy imposed the following disciplinary actions against Mr. Sekyi's Pharmacist license; Kodwo Bedu Sekyi's license is hereby suspended for a minimum period of two years, commencing August 16, 2017; Upon suspension of his license, Mr. Sekyi shall comply with the pharmacy closing procedures set forth in Board Regulation 4.0, as applicable; The Pill Box shall not operate without a Board-approved pharmacist-in-charge; If a new Board-approved pharmacist-in-charge begins employment at the Pill Box, within a reasonable time after this individual begins employment, the Pill Box shall be inspected by the Board's Pharmacy Compliance Officer, and such inspection shall include a complete inventory of the entire stock of Pill Box's medications; On the second anniversary of the commencement of his license suspension, Mr. Sekyi may submit a written request to appear before the Board to petition for termination of his license suspension in favor of a five year period of license probation on the condition that he has satisfied the following requirements: a. Mr. Sekyi shall complete 24 hours of continuing education in the following amounts and hours: twelve hours in standard of care pharmacy operations; three hours in pharmacy inventory best practices; three hours in securing controlled substances in the modern pharmacy; three hours in the effective supervision of pharmacy employees; three hours in proper and sanitary storage of medications; and three hours in medication errors and safety. Mr. Sekyi shall present the Board with proof of completion of these twenty-four continuing education hours, and such hours shall be in addition to the continuing education hours required for license renewal; Mr. Sekyi shall provide the Board with the names of more than one potential licensed pharmacy mentor, with resumes, for Board review and approval. Once appointed by the Board, the pharmacy mentor shall randomly review Mr. Sekyi's pharmacy records; consult regularly with Mr. Sekyi on all aspects of his pharmacy practice, but no less frequently than once a month; and provide the Board with quarterly reports concerning Mr. Sekyi's performance as a pharmacist or pharmacist-in-charge. Mr. Sekyi shall be responsible for any costs associated with the pharmacy mentor's activities; Mr. Sekyi shall sign and submit to the Board a notarized statement in which he states, under oath, that he has read and understands the Board's Practice Act, Chapter 53 of Title 24 of the Delaware Code, the Uniform Controlled Substances Act and all regulations adopted by the Board and the Secretary of State concerning the practice of pharmacy; and Mr. Sekyi shall pay an administrative penalty in the amount of \$3,000 in the form of a draft made payable to the "State of Delaware"; If Mr. Sekyi fails or refuses to appear before the Board to request termination of his license suspension, or fails to show that he has satisfied all of the requirements set forth above, his suspension shall continue until such time that he appears before the Board and makes such showing;

If the Board terminates Mr. Sekyi's period of license suspension, his license shall be placed on probation for a period of five years, subject to any reasonable and necessary conditions or restrictions as may be determined by the Board in its sole discretion; Mr. Sekyi shall not serve as a pharmacist-in-charge in any capacity until he holds an unrestricted license, that is, his license shall not be on probation or subject to any Board-imposed restrictions; If Mr. Sekyi transfers ownership of Pill Box to any person or entity during the period of his license suspension or probation, he shall provide such purchaser with a copy of this Final Order, with the Hearing Officer's recommendation, and certify to the Board in the form of a sworn affidavit that he has done so; If Mr. Sekyi violates any term of this Final Order, he may be subject to further disciplinary action; This is a public disciplinary action which shall be reported to the appropriate national practitioner data banks; and A copy of this Final Order shall be served personally or by certified mail, return receipt requested, upon Mr. Sekyi. Ms. Davis introduced Mr. Greg Morris Attorney for Pillbox Pharmacy, Mr. Morris introduced Mr. Sekyi owner of the Pillbox Pharmacy. Mr. Morris made an opening statement regarding the hearing office recommendation as well as asked the committee to be as lenient as possible regarding discipline based on Mr. Sekyi never having been previously disciplined. Ms. Jarosz, Deputy Attorney General addressed the committee regarding the recommendation placed before them. She stated that although Mr. Sekyi has no prior infractions the severity of the violations that occurred needed to be addressed. She reiterated the Board of Pharmacy violations and the imposed discipline. Ms. Jarosz stated that diversion and risk to public safety were of great concern. Ms. Davis reviewed the facts and violations in the recommendation. She

reviewed the statute and regulations regarding the violations and offered the committee guidance on their responsibility. The committee reviewed the recommendation and deliberations began. A motion to approve the hearing officer recommendation was made by Mr. Hanna and seconded by Dr. Kremer. The motion carried unanimously.

DIRECTOR'S REPORT

None

Case/Diversion Review

None

Current Events

None

PMP Review

Mr. Mangler introduced Jason Slavoski as the newly hired PMP Administrator. Mr. Slavoski provided the committee with an update on the migration from the Health Information Designs platform to the new APPRISS platform. He stated that several mailings have been sent regarding the transition and steps practitioners must complete for the transition. The tentative launch date is November 7, 2017. He stated that the new platform requires an email address and that address can only be utilized for a single account on the system. Every account must have its own unique email address.

COMMITTEE REPORTS

Medical Examiner's Report

No Report

DEA Report

No report

Substance Abuse Report

No Report

Law Enforcement Report

No Report

Regulatory Committee Report

No Report

Legislative Committee Report

No Report

INSPECTION REPORT

No Report

Continuing Education Review

Laura Dougherty, 2017 2 Hours Continuing Education audit review – a motion to table for a course syllabus was made by Mr. Von Goeeres and seconded by Dr. Jankowski. The motion carried.

COMMITTEE CORRESPONDENCE

None

OTHER BUSINESS BEFORE THE BOARD

None

PUBLIC COMMENT

None

NEXT SCHEDULED MEETING

The next regular meeting will be held on November 29, 2017 at 9:00 am at the Buena Vista Conference Center, Buck Library.

ADJOURNMENT

A motion was made by Dr. Kremer, seconded by Mr. Hanna, to adjourn the meeting at 10:10 am. The motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mast", written in a cursive style.

Christine Mast
Administrative Specialist III
Office of Controlled Substances